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August 19, 2022

VIA ECF AND E-MAIL (RLS_ORDERS@NJ.USCOURTS.GOV)

Hon. Rukshanah L. Singh, U.S.M.J.
United States District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

Re: *Chickachop v. FedEx Ground Package System, Inc.*
Civil Action No. 3:21-cv-1181

Dear Judge Singh:

This firm represents Defendant FedEx Ground Package System, Inc. ("FedEx Ground") in the above-captioned matter. The parties write this joint letter pursuant to the Court's Order entered on July 19 (ECF No. 37). This letter provides a current status of the matter.

On July 19, this Court entered an Order that required Plaintiff to propose dates for his deposition no later than August 3 (ECF No. 37). If Plaintiff failed to abide by the Order, FedEx Ground's request for leave to file a motion to dismiss (ECF No. 36) would be granted. Plaintiff failed to propose dates for his deposition by August 3. Plaintiff remains unresponsive to Plaintiff's counsel's efforts to contact him.

On August 5, FedEx Ground filed its motion to dismiss the Complaint. The motion is currently returnable on September 6. Plaintiff's counsel intends to oppose the pending motion by August 23, in accordance with the rules of this Court.

We thank Your Honor for your time and courtesies.

Respectfully submitted,
/s/Kathleen McLeod Caminiti
Kathleen McLeod Caminiti
For FISHER & PHILLIPS LLP

/s/Matthew Miller
Matthew D. Miller
For SWARTZ SWIDLER, LLC

cc: All counsel of record (via ECF)

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